TL 2590

East Timor Discussed

When the Special Committee on decolonization met this morning, it first took up the question of East Timor.

In this connection, the Committee has before it a working paper prepared by the Secretariat dealing with the military situation, human rights, food and economic, social and educational conditions in the Territory (document A/AC.109/783).

The Special Committee considered this item at its 1983 session, and the General Assembly decided to include the question in the provisional agenda of its forthcoming (1984) session.

The working paper, in reviewing the military situation, states that a de facto cessation of hostilities prevailed in the Territory from March to July 1983. It also refers to reports of military clashes since July 1983.

Regarding human rights, the paper states that although the Indonesian Government had repeatedly denied reports of human rights abuses in East Timor, various allegations of such violations continued.

An Australian parliamentary delegation, which visited Indonesia from 22 July to 4 August 1983 and spent four days in East Timor, reported that some violations of human rights were continuing in East Timor, it is stated. The delegation considered that those violations included the continued presence of detainees without trial on Atauro Island, the control of movement of persons in and out of East Timor, the impediment of departures from East Timor for purposes of repatriation or family reunion and censorship of mail.

In 1983, the paper states, the Indonesian authorities announced their intention to close down the "resettlement camp" on Atauro Island and to allow all displaced persons to return to their homes by the end of the year. The movement of persons back to the main island was subsequently interrupted and in June 1984, the total number of displaced persons on the island remained about the same, according to the International Committee of the Red Cross (ICRC). The Indonesian authorities had indicated that they remained committed to closing the facility as soon as possible.

The Special Committee also has before it a note by the Indonesian Government stating that the process of decolonization in East Timor had been carried out in conformity with the provisions of the Charter (document A/AC.109/791 and Add.1). The integration of East Timor into the Republic of Indonesia was formalized on 17 July 1976 as its twenty-seventh province with rights and obligations equal to those in the other provinces.

"Consideration of the question by the Committee is inappropriate and would constitute interference in matters which are essentially within the domestic jurisdiction of a sovereign Member State", Indonesia states. Moreover, granting a hearing to any petitioner before the Committee would serve no useful purpose.

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The first speaker on this item, BOER MAUNA (Indonesia), voiced objection to consideration of that item and to granting the right to speak to petitioners.

East Timor was an integral part of Indonesia, he said. The people there had already exercised their right to self-determination and had chosen integration with Indonesia. The people in the last national election had elected their representatives to the national legislature, thus confirming their desire to participate in the constitutional process.

It was clear, therefore, that any discussion of the situation of East Timor would be going against the wishes of the province and would be unwarranted interference in the affairs of a Member State. The General Assembly, he said, had decided not to include the item in its agenda last year.

The granting of a hearing to petitioners would only advance the personal ambition of a few persons who opposed the will of the people of the province. On those grounds, he objected to consideration of the "so-called question" of East Timor.

JOSE RAMOS-HORTA, representing the Revolutionary Front for the Independence of East Timor (FRETILIN), said that Indonesia, a member of the Special Committee, had a record on East Timor of gross violation of the fundamental rights of the people of East Timor. In the past 10 years, there had been a new form of colonialism, "third world colonialism", and it had demonstrated its most vicious and brutal aspects.

He said that while he had not seen any reference to the people of East Timor in "The progress report of the Secretary-General" (document A/39/361), he believed the Secretary-General's Office would endeavour to contact the legitimate representatives of the people of East Timor since they were the party most directly concerned.

Referring to the working paper of the Secretariat, he said it was outrageously tendentious in nature, meant to present Indonesia, the aggressor, in the best possible light. He cited several instances where he felt the Secretariat had not accurately reported the situation in East Timor.

The working paper failed to elaborate on the process of talks between the FRETILIN leader and the Indonesian military commander which resulted in a cease-fire that was terminated when Indonesia launched another major offensive in August 1983. The working paper attributed the renewing of Indonesian military activities to the killing of "Indonesian Army Engineering Corps". According to Agence France Press, some 16 Indonesian soldiers had been killed by East Timorese prisoners in Viqueque who had been kept in sub-human conditions.

He said that when the working paper referred to "anti-Government guerrillas", by not using quotation marks, it did not clarify that the expression was used by the Indonesian military, and suggested that those resisting in East Timor were fighting against a legal Government of the Territory. The chapters on the food situation and economic, social and

education conditions reproduced two full pages of pure Indonesian propaganda. Indonesia, the aggressor, was presented as a generous benefactor of the East Timorese people.

Stating that the Secretariat working paper had not provided the Committee with adequate information, he reviewed briefly recent history in East Timor, saying that ICRC had not been able to resume its humanitarian work in East Timor since July 1983.

The people of East Timor were continuing to resist Indonesia's military occupation by every means possible. The fact that almost nine years after its initial invasion, the Indonesian military authorities maintained a ban on the entry of foreign correspondents and independent observers. Not one international relief organization was operating there. The United Nations Children's Fund (UNICEF) entire programme in East Timor was being handled by the Indonesian Red Cross which is headed by a Brigadier-General. Unless the international community took the necessary action to preempt an Indonesian military adventure, he stated, the military men in Jakarta would push for military solutions to resolve their pressing economic, political and demographic problems.

MAGGIE NICHOLSON, of Amnesty International, said her organization continued to be gravely concerned at the situation of human rights in East Timor. For several years, it had received reports from a variety of sources of gross violations of: the "disappearance" and summary or arbitrary execution of non-combatants; the torture and ill-treatment of persons taken into the custody of Indonesian forces, including detention in cruel and inhuman conditions; and imprisonment without charge or trial of persons often held on suspicion of opposition to the Indonesian occupation.

Since September 1983, she said, further such arrests, killings and "disappearances" were reported. In the past year, the Indonesian authorities had also brought to trail a number of East Timorese charged with offences of a political nature. However, in view of the reports indicating that Indonesian forces in East Timor had continued to operate outside the framework of the law, and of information casting doubt on the fairness and impartiality of the trial proceedings themselves, Amnesty International did not regard that development as marking a significant change in the human rights situation.

In August 1983, a cease-fire established in March of that year between Indonesian and FRETILIN forces broke down, she said, and substantially increased numbers of Indonesian troops were deployed in the Territory as part of an offensive aimed at finally eliminating FRETILIN as a fighting force. Amnesty International had received several reports of arbitrary killings of non-combatants in connection with the offensive, she continued. One report from several mutally independent sources alleged that as many as 200 persons in the village of Kraras, Viqueque, were killed by Indonesian troops soon after the killing of 16 Indonesian soldiers on 8 August 1983. Amnesty International had received more recent reports of killings of persons taken into the custody of Indonesian forces.

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In view of the evidence now available that Indonesian forces had since the first days of the invasion of the Territory persistently resorted to killing arbitrarily Timorese not engaged in armed combat, it was urgent that full investigations of both recent and earlier reports be conducted under conditions allowing sufficient scrutiny by outside observers, she said.

Amnesty International also understood that several hundred persons had been arrested in East Timor since August 1983, particularly in the areas of Dili, Baucau and Viqueque. A substantial number of those persons were reported to have simply "disappeared". The organization feared, on the basis of its own inquiries, that some of those persons were executed after being taken into custody or died as a result of torture.

Amnesty International was also concerned that the atmosphere prevailing in the Territory was not conducive to the holding of fair trials. It regretted the refusal of the Indonesian Government to grant access to international trial observers since it believed that any trials must be in conformity with international legal standards for fair trials, she said. Access to the Territory by international bodies should be facilitated.

Despite the difficulties in gaining access to information about the situation of human rights, the reports received in the past year had given rise to deep concern, she said. Moreover, the response of the Indonesian Government to inquiries about that situation and its failure to take corrective action were regretted. Continuing active and public consideration by the General Assembly and its Special Committee on decolonization of the question of East Timor was essential if the human rights of the people were to be respected.

ROGER S. CLARK, of the International League for Human Rights, said he had always been impressed with the quality of the Secretariat's documentation on Timor. The Secretariat's August 1976 publication, "Issue on East Timor" in the Decolonization Series, still represented the most accurate and objective account of the history of the Territory and the events surrounding the Indonesian invasion on 1975's "day of infamy".

He was accordingly, somewhat disturbed with the tone and the selection of material for the present report. Too often, it gave undue emphasis to uncritically presented Indonesian propaganda handouts.

Because of the way in which the material was presented, the uncritical reader might be forgiven for taking at face value the claims in the report about economic, social and educational conditions, taken from an Indonesian Government brochure, he said.

While the Indonesian statistics were reproduced extensively and uncritically, the report downplayed information coming from other sources, he went on. For example, the report made a casual reference to a letter dated 18 February 1984 from the Apostolic Administrator of East Timor. Nothing was said about the contents of that letter. A completely different report might have been written if reference had been made to the information contained in the letter, which was from Carlos Filipe X. Belo, Apostolic Administrator, to

his predecessor, Monsignor Martinho da Costa Lopes. According to the Apostolic Administrator, some people had "disappeared", and others were to be tried by military courts. The civilian population was, according to the letter, being mobilized to add to the troops sent from Jakarta.

What a different tone the Secretariat report might have had if it emphasized the words of the man of God, rather than those of the governmental propaganda machine, he added.

The actions of the Government of Australia in continuing to negotiate with Indonesia concerning the demarcation of the sea-bed boundary between Australia and Timor appeared to be in conflict with the rather plain statement in the definition of aggression and with the obligation of States spelt out more fully in the draft before the Committee on the Non-Use of Force, he said. Indonesia had no legal claim to that area. Australia had an obligation not to deal with it as though it had a legal claim.

What was the real situation? he asked. There was, of course, the continuing question of human rights violations, incarceration of a significant number of political prisoners and the difficulties faced by the Roman Catholic Church. There was the continuing spectre of food shortages. There was the continuing failure of Indonesia to afford access to the Territory for non-governmental and other independent observers. Underlying all of that was the continuing inability of the Timorese to engage in a genuine act of self-determination.

There could be no settlement of the problem of East Timor without a genuine, internationally supervised act of self-determination, he stated. The task of the Special Committee, he said, was to keep that proposition in the forefront of its work on that item.

Mr. MAUNA (Indonesia) said Indonesia had opposed the inclusion of the item on East Timor on the Special Committee's agenda.

PEDRO JOAO DE AZEVEDO DAVANE (Mozambique) said dominated people would always struggle to free themselves from the oppressor and the people of East Timor were no exception. Since the Indonesian invasion in 1975, the people of East Timor had demonstrated their strong desire to independence through heroic and tenacious resistance to foreign occupation. Confronted with the revolt of the people of East Timor, he said the Indonesians had retaliated by mounting a massive military presence in the Territory, and had embarked on a systematic campaign of extermination and genocide, during which 200,000 or one fourth of the total population had lost their lives.

The worst famine in the history of East Timor was the direct result of the Indonesian invasion, he continued. Thousands had sought refuge in the mountains, while thousands of others had been removed from areas where they had lived for generations and brought into areas under the control of the occupying forces. Many agricultural products were and still continued to be destroyed by aerial bombardments.

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Commenting on the working paper, he said he had expected that the Secretariat would have presented a working paper reflecting the real situation prevailing in the Territory, but unfortunately, it had not done so.

The people of East Timor deserved more support from the United Nations, he said. More concrete action should be taken to promote their cause and their heroic struggle. As long as East Timor was a colony and an occupied territory, as long as Security Council and General Assembly resolutions on the subject remained unimplemented, it was the responsibility of the United Nations, in general, and of the Committee, in particular, to take whatever actions were necessary to find an internationally accepted solution.

ARMINDO GONZAGA FERNANDES (Sao Tome and Principe) said that regrettably, the Committee was once again dealing with the question of East Timor, which should have been solved long ago. He also regretted that Indonesia had not yet complied with the various United Nations resolutions and had not responded to the appeal by the international community to stop its military occupation of the Territory.

Although the working paper echoed some propaganda elements provided by the aggressor, it clearly showed that the people of East Timor and its legitimate representative, FRETILIN, were courageously facing forces of invasion and continued to reaffirm to the international community the aspiration of the Maubere people to liberty and self-determination.

He expressed concern over the existence of some elements in the working paper which could eventually mislead part of the international community into believing in the false pretenses of the Indonesian Government, which hid the true dimension of its occupation.

The question of East Timor was a typical case of decolonization whose process was interrupted by the invasion and occupation by Indonesia, he said. A solution to that question implied application of and respect for the terms of the Declaration on decolonization. Only through the creation of appropriate conditions permitting the administering Power to assume its full responsibility, and taking into account the wishes of the people of East Timor, could a just and definitive solution to the problem, be achieved.

ANTONIO VICTOR MARTINS MONTIERO (Portugal) said the working paper was of an interim nature, he did not feel he could comment on the question at this time.

Mr. MAUNA (Indonesia) reiterated that his delegation had strong objections to any discussion of the political and constitutional status of East Timor by the Committee or any other forum. Indonesia was also strongly opposed to the participation of petitioners in the deliberations.

The allegations of the petitioners who had claimed that there had been a famine in East Timor in 1982, and that no international humanitarian organizations were allowed access to East Timor had been proven false, yet the same petitioners were again being indulged by the Committee, he declared. Such claims were part of a deliberate campaign to mislead the Committee. He

said he would not give a rebuttal of the allegations point by point as they were patently false, but would outline the recent developments in the province "based on facts rather than on fiction", and "set the record straight" with regard to some of the more outrageous claims by certain petitioners.

The civil war of 1975 in East Timor had been instigated by FRETILIN, he went on. A reign of terror had been unleashed to intimidate the population into submission. The FRETILIN unilaterally declared independence with absolutely no regard for the true wisnes of the people.

The United Nations had been requested to participate in the decolonization process by the Provisional Government of East Timor, but it had been prevented by certain interests for whom ideological and political considerations took precedence over the rights of the East Timorese, he said. None the less, every step of the decolonization process had been witnessed by scores of foreign diplomats and international media representatives and which culminated in the formal promulgation into law of the statute of integration on 17 July 1976. The participation of the United Nations in the process of decolonization, while laudable, was not mandatory.

In East Timor, he went on, the process of decolonization had been tumultuous due to the breakdown of administrative authority, the hasty departure of the colonial Power and the attempt by one minority party to impose its will on the rest of the population by force of arms. But, when the tumult died down, there was a clear expression for integration with Indonesia.

How long should the United Nations continue to entertain the unilateral demands concerning East Timor from a small unrepresentative exile group? How long should the United Nations allow the groundless and malicious anti-Indonesia campaign in the name of so-called human rights, just to satisfy the private morality of a few misguided and obviously biased "humanists" in Australia, the United States and elsewhere? he asked.

There had been international awarness of the correctness of Indonesia's position and, in the United Nations itself, support for the Indonesian position had gained strength, he said. In direct contradiction to the findings of all those who had actually visited and observed conditions of East Timor were the petitioners who attempted to present a horrifying image of East Timor and the Indonesian Government. Amnesty International had for many years engaged in a systematic effort to misrepresent and distort facts regarding East Timor. It had excluded the voice of East Timorese who had suffered from brutalities by FRETILIN members, including atrocities and massacres.

Regarding Amnesty International's charge that legal norms were not adhered to by the Indonesian courts, he said that due process of law was guaranteed. The use of torture and other forms of ill-treatment in interrogating suspects was contrary to the State philosophy and to the basic values of the Indonesian people and the laws and regulations.

The dramatic story in East Timor, he said, was the progress being made in the development of the province in the economic, political, social and

cultural spheres. The annual budget allocation by the central Government for East Timor was per capita the largest among all of the provinces. Priorities continued to be aimed at agriculture, health, education, public housing, communications and other infrastructures. East Timor was now reaching self-sufficiency in rice and might even be in a position to supply rice to other parts of Indonesia in the near future.

There was a renewed understanding between Indonesia and ICRC on the continuation of ICRC activities, including reguarly scheduled visits to detention facilities on the main island of East Timor, he said. Relief and aid activities on the main island of East Timor would henceforth be provided by the Indonesian Red Cross and the Provincial Government of East Timor, due to the increased capacity of the Indonesian Government to provide the services and funds required and the progress in East Timorese self-sufficiency.

Mr. Mauna said the security situation in East Timor had returned to normalcy and the last remaining remnants of FRETILIN were now nothing more than small bands of stragglers engaged in robberies and banditry.

The Indonesian Government hoped the so-called FRETILIN would realize the futility of further opposing the overwhelming desire of the people of East Timor for peace and progress within the Republic of Indonesia and would avail itself of the general amnesty programme, he said. He also hoped that the Special Committee would accept the truth that the people of East Timor had already chosen and that decolonization in East Timor had already taken place.

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